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11 *Attorneys for Defendant,*
12 **ALLIED WORLD ASSURANCE COMPANY (U.S.)**
 INC.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

17 BIGELOW MANAGEMENT, INC., and
BUDGET SUITES OF AMERICA

v.
Plaintiff,

21 ALLIED WORLD ASSURANCE COMPANY
(U.S.) INC., and DOES 1-10.

Defendants.

Case No. 2:12-cv-01604-GMN-GWF
Hon. Gloria M. Navarro

**DEFENDANT ALLIED WORLD
ASSURANCE COMPANY (U.S.)
INC.'S MOTION TO STAY
PROCEEDINGS**

**[FILED UNDER SEAL PURSUANT
TO COURT ORDER FILED
JANUARY 29, 2013]**

Pursuant to the Court's inherent power to control the disposition of the causes on its docket with the economy of time and effort for itself, for counsel, and for litigants, Defendant

1 Allied World Assurance Company (U.S.) Inc. ("Allied World"), by and through its counsel of
 2 record, hereby moves this Court to stay all proceedings in this case until the underlying action
 3 entitled *Heintz v. Budget Suites of America, et al.*, Clark County District Court Case No. A
 4 606849 ("Underlying Action"), currently pending in the Nevada Supreme Court, is concluded.

5 A stay will conserve judicial and party resources, minimize duplicative pre-trial
 6 proceedings and unnecessary discovery and will not result in prejudice to any party.

7 This motion is made and based on this Motion and Notice of Motion, the concurrently
 8 filed Memorandum of Points and Authorities In Support of the Motion, the concurrently filed
 9 Declaration of Robert M. Pozin, the concurrently filed Declaration of Samuel D. Carucci, the
 10 concurrently filed Request for Judicial notice, the concurrently filed [Proposed] Order to Stay
 11 Proceedings, the Court file in this matter and any materials or information subject to judicial
 12 notice, and upon any oral argument this Court orders.

13 On or about January 31, 2013, counsel for Allied World contacted counsel for Bigelow to
 14 discuss the present motion to stay. Counsel for Bigelow stated that his client would not stipulate
 15 to a stay and would oppose Allied World's motion. (*See* Declaration of Robert M. Pozin, ¶ 15)

16
 17 Dated: February 4, 2013

Respectfully submitted,

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 19 Robert M. Pozin
 20 William D. Burger
 21 TROUTMAN SANDERS LLP

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 23 Craig R. Delk
 24 THORNDAL, ARMSTRONG, DELK
 25 BALKENBUSH & EISNER

26
 27 By: /s/ Robert M. Pozin
 28 Robert M. Pozin

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 30 *Attorneys for Defendants,*
 31 **ALLIED WORLD ASSURANCE COMPANY**
 32 (**U.S.**) INC.

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2013 I served via CM/ECF and/or deposited for mailing in the U.S. Mail a true and correct copy of the foregoing **DEFENDANT ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.'S MOTION TO SAY PROCEEDINGS**, postage prepaid (if U.S. Mail) and addressed to all parties and counsel as identified on the CM/ECF-generated Notice of Electronic Filing.

/s/ Lisa Golden
Lisa Golden
An employee of Troutman Sanders LLP

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